

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

OLD LADDER LITIGATION CO., LLC, as  
Litigation Deisgnee on behalf of the Liquidation Trust,

Plaintiff,

-against-

INVESTCORP BANK B.S.C., et al.

Defendants.

08 Civ. 0876 (RMB)

**NOTICE OF MOTION  
TO ADMIT COUNSEL  
PRO HAC VICE**

PLEASE TAKE NOTICE that upon the annexed Declaration of Blair G. Connelly, dated March 18, 2008, the accompanying Declaration of Marc W. Rappel, dated March 11, 2008, and the exhibit annexed thereto, the undersigned moves this Court for an Order, pursuant to Rule 1.3(c) of the Local Rules for the United States District Court for the Southern and Eastern Districts of New York, admitting Marc W. Rappel to the bar of this Court *pro hac vice* in order to argue and try the above-captioned case as counsel for Defendants Green & Partners, L.P., LGP Management, Inc., Green Equity Investors III, L.P., Werner Co-Investment LLC, Peter Nolan, and Michael Wong.

Dated: New York, New York  
March 11, 2008

LATHAM & WATKINS LLP

By:   
Blair G. Connelly (BC-0237)

885 Third Avenue, Suite 1000  
New York, New York 10022  
(212) 906-1200

Attorneys for Green & Partners, L.P., LGP  
Management, Inc., Green Equity Investors  
III, L.P., Werner Co-Investment LLC, Peter  
Nolan, and Michael Wong

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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**ORDER GRANTING MOTION TO  
ADMIT COUNSEL PRO HAC VICE**

This matter having been brought before the Court by motion to admit Marc W. Rappel *pro hac vice* to appear and participate as counsel for Defendants Green & Partners, L.P., LGP Management, Inc., Green Equity Investors III, L.P., Werner Co-Investment LLC, Peter Nolan, and Michael Wong in the above-captioned action, and the declaration of such attorney having been submitted in support thereof, and it appearing that such attorney is a member in good standing of the bar of the state in which he is admitted to practice law, and there are no disciplinary proceedings against him as a member of the bar in any jurisdiction; it is

ORDERED that, pursuant to Local Civil Rule 1.3(c) of this Court, Marc W. Rappel of the State of California bar is admitted *pro hac vice* to practice before this Court as counsel for Defendants Green & Partners, L.P., LGP Management, Inc., Green Equity Investors III, L.P., Werner Co-Investment LLC, Peter Nolan, and Michael Wong in these proceedings.

Dated: \_\_\_\_\_, 2008

\_\_\_\_\_  
Honorable Richard M. Berman  
United States District Judge

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

OLD LADDER LITIGATION CO., LLC, as  
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Plaintiff,

-against-

INVESTCORP BANK B.S.C., et al.

Defendants.

08 Civ. 0876 (RMB)

**DECLARATION OF  
BLAIR G. CONNELLY**

BLAIR G. CONNELLY, pursuant to 28 U.S.C. § 1746, hereby declares under the penalty of perjury as follows:

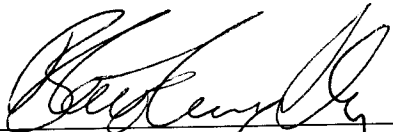
1. I am a member of the law firm of Latham & Watkins LLP, counsel for Defendants Green & Partners, L.P., LGP Management, Inc., Green Equity Investors III, L.P., Werner Co-Investment LLC, Peter Nolan, and Michael Wong in this action. I submit this Declaration in support of the motion, pursuant to Local Rule 1.3(c) of the Local Rules of the United States District Court for the Southern and Eastern Districts of New York, for an Order granting Marc W. Rappel admission *pro hac vice* to the bar of the United States District Court for the Southern District of New York in order to argue and try the above-captioned case.

2. I am a member in good standing of the bar of this Court.

3. I have reviewed the Declaration of Marc W. Rappel in support of the motion for admission *pro hac vice* submitted herewith, and I believe that the declaration is true and correct. Marc W. Rappel is fully familiar with the facts of this case.

4. Upon the foregoing facts, I respectfully request that the Court grant the motion for the admission *pro hac vice* of Marc W. Rappel to the bar of the United States District Court for the Southern District of New York.

I declare under penalty of perjury that the foregoing is true and correct. Executed  
on this 18th day of March, 2008, in New York, New York.

  
Blair G. Connelly (BC-0237)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

OLD LADDER LITIGATION CO., LLC, as  
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-against-

INVESTCORP BANK B.S.C., et al.

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08 Civ. 0876 (RMB)

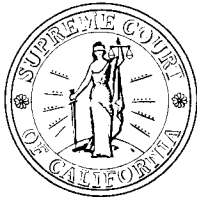
**DECLARATION OF  
MARC W. RAPPEL**

MARC W. RAPPEL, pursuant to 28 U.S.C. § 1746, hereby declares under the penalty of perjury as follows:

1. I am a member of the law firm of Latham & Watkins, LLP, located at 633 West Fifth Street, Suite 4000, Los Angeles, California, 90071.
2. I submit this Declaration in support of the motion to admit counsel *pro hac vice* in the above-captioned matter. As demonstrated by the Certificate of Good Standing annexed hereto, I am a member in good standing of the Bar of the State of California.
3. There are no pending disciplinary proceedings against me in any State or Federal Court.
4. Wherefore, I respectfully request that I be permitted to appear as counsel and advocate *pro hac vice* in the above-captioned case.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 11<sup>th</sup> day of March, 2008, in Los Angeles, California.

  
Marc W. Rappel



## Supreme Court of California

FREDERICK K. OHLRICH

*Clerk of the Court*

### CERTIFICATE OF THE CLERK OF THE SUPREME COURT OF THE STATE OF CALIFORNIA

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*I, FREDERICK K. OHLRICH, Clerk of the Supreme Court of the State of California, do hereby certify that **Marc W. Rappel**, was on the 15<sup>th</sup> of January, 1981, duly admitted to practice as an attorney and counselor at law in all the courts of this state; and that his/her name now appears on the Roll of Attorneys as a member of the bar of this state in good standing.*

*Witness my hand and the seal of the court,  
this 11<sup>th</sup> day of March, 2008.*

FREDERICK K. OHLRICH

*Clerk of the Supreme Court*

By

A handwritten signature in black ink, appearing to read "Patricia A. Quinn", is written over a horizontal line.

*Patricia A. Quinn, Deputy Clerk*

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

OLD LADDER LITIGATION CO., LLC, as  
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Defendants.

08 Civ. 0876 (RMB)

**CERTIFICATE OF SERVICE**

I, Jessica Bengels, hereby certify that on March 18, 2008, true and correct copies of Notice of Motion to Admit Counsel Pro Hac Vice, dated 3/18/08, Order Granting Motion to Admit Counsel Pro Hac Vice, Declaration of Blair G. Connelly, dated 3/18/08, and Declaration of Marc W. Rappel, dated 3/11/08, were caused to be served in accordance with the Federal Rules of Civil Procedure, via first class mail upon all parties and counsel listed on the attached service list.

Dated: New York, New York  
March 18, 2008

LATHAM & WATKINS LLP

By: 

Jessica Bengels (JB-2290)

885 Third Avenue, Suite 1000  
New York, New York 10022-4802  
Tel: (212) 906-1200  
Fax: (212) 751-4864

*Old Ladder Litigation Co., LLC v. Investcorp Bank B.S.C., et al.,*  
Case No. 08 CV 0876 (RMB)  
Service List

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<b>DEFENDANTS</b>	<b>COUNSEL</b>
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Annisville Limited Ballet Limited C.P. Holdings Limited CIP Limited Climbing Products Limited Cooperstown Limited Denary Limited Equity WERA Limited Frisco Limited Gleam Limited Highlands Limited Investcorp Bank B.S.C. Investcorp Holdings Limited Investcorp International, Inc. Investcorp Investment Equity Limited Investcorp S.A. Investcorp Werner Holdings L.P. Invifin, S.A. Ladder Equity Limited Noble Limited Outrigger Limited Ownership Holdings Limited Platea Limited	Skadden, Arps, Slate, Meagher & Flom LLP One Rodney Square P.O. Box 636 Wilmington, Delaware 19899  Contact: Anthony Clark Phone: (302) 651-3080 Direct fax: (888) 329-3081 tclark@skadden.com



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<p>           Alligator Partners, L.P. (Howard Solot And Janet Solot - General Partners)            Allison Tyler Karp (Minor)            Barbara L. Werner            Barbara L. Werner And Donald M. Werner            Beth Katz            Beverly Werner Needham            Brad J. Gellis            Bruce D. Werner            Bruce D. Werner - Trust (Bruce Werner - Trustee)            Bruce D. Werner Family Limited Partnership (Bruce Werner – Managing General Partner)            Craig R. Werner Family Limited Partnership (Craig Werner – General Partner)            Craig R. Werner Trust            Craig Werner            Debra A. Rothman            Dennis J. Johnson            Donald E. Achenbach            Donald M. Werner            Eli Berk-Rauch         </p>	<p>           Cohen &amp; Grigsby, P.C.            11 Stanwix Street            15th Floor            Pittsburgh, PA 15222-1319            Phone: (412) 297.4900            Fax: (412) 209.0672              Contact: Larry Elliott            LElliott@cohenlaw.com         </p>

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<p> Elise W. Frost  Elissa Schwartz (<b>Now Elissa Rioux</b>)  Ellen Berk Rauch  Eric A. Mason  Eric Werner  Florence J. Werner  Florence J. Werner- Irrev. Trust Dated  10/7/94 (Ronald Werner, Marc Werner  And Michael Werner – Trustees)  Gail Rauch Blackman  Hanna Berk-Rauch  Heather Blackman  Henry W. Dowler  Howard L. Solot  Ira And Elise Frost Family Limited  Partnership (Elise Frost – General  Managing Partner)  Isabelle Werner  J. David Goldblatt  Janet F. Solot  Jonathan C. Werner Gift Trust U/A/D/  11/1/96 (Jeffrey Weisman - Trustee)  Jordana Rothman  Joshua J. Rothman  June Goldblatt  Kevin M. Rothman  Laura W. Werner Revocable Trust, U/Aid  1/2/96 (Laura Werner - Trustee)  Lee L. Basilotta  Lois S. Werner Revocable Trust  Marc Werner  Marc Werner Irrevocable Trust  Margot A. Werner Gift Trust U/A/D  11/1/96 (Laura Werner - Trustee)  Marsha Beth Karp  Maurice Weiner  Melanie Werner  Melissa S. Karp (Minor)  Michael E. Werner  Michael E. Werner Revocable Trust,  U/A/D 12/96 (Michael Werner - Trustee)  Michael Solot  Michael Trzynka  Mindy Werner Alter </p>	

PLAINTIFF	COUNSEL
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<p>Loughlin Meghji &amp; Co., Inc.</p>	<p>Morris, Nichols, Arsht &amp; Tunnell LLP  Chase Manhattan Centre, 18th Floor  1201 North Market Street  P.O. Box 1347  Wilmington, DE 19899-1347</p> <p>Contact: Gregory W. Werkheiser  <a href="mailto:gwerkheiser@mnat.com">gwerkheiser@mnat.com</a></p>
<p>Steven R. Bentson</p>	<p>Foley &amp; Mansfield PLLP</p>

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